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MORTGAGE RECORDS

MODIFICATION AND EXTENSION

6930 PAGE 438

OF DEED

OF TRUST AND CHATTEL MORTGAGE

This Agreement, dated as of October 1, 1969, between MERICHEM COMPANY, a Delaware corporation, (herein called the "Grantor"), and BANKERS TRUST COMPANY, a New York banking corporation, (herein called the "Bank")

109-38-0289

W I T N E S S E T H :

Whereas, the Grantor is justly indebted to the Bank in the amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) under a note, (herein called the "Original Note") of the Grantor dated December 30, 1965, in the original principal amount of Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000); and

Whereas, the Original Note is secured by a Deed of Trust and Chattel Mortgage, (herein called the "Deed of Trust") dated December 30, 1965 from the Grantor to John N. Hunt, Trustee, recorded in the Office of the County Clerk, Harris County, Texas, in Volume 5432 of Mortgage Records at page 195 and in Chattel Mortgage File No. 292102, and under County Clerk's File No. C223589, which Deed of Trust covers the real property situate at Harris County, Texas, more particularly described in Exhibit A hereto attached and made a part hereof for all purposes and fixtures and personal property as described in the Deed of Trust; and

Whereas, John N. Hunt resigned as Trustee and

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Richard W. Condit is and was appointed Trustee under the Deed of Trust, by Instruments recorded in Volume 5432 of Mortgage Records, page 291 (file No. C223688) and Volume 5432 of Mortgage Records, page 293 (file No. C223688) respectively; and

Whereas, the Grantor desires to borrow and the Bank desires to lend the sum of Two Hundred Fifty Thousand Dollars (\$250,000) (herein called the "New Loan") against delivery of a promissory note (herein called the "Note") in the principal amount of Two Million Dollars (\$2,000,000) which Note is to be given in substitution for the Original Note and is to evidence the New Loan and the unpaid principal amount of the Original Note; and

Whereas, the Note is to be substantially in the form hereto attached as Exhibit B and made a part hereof for all purposes; and

Whereas, Grantor and the Bank desire to modify and extend the indebtedness evidenced by the Original Note, in the manner provided in the Note;

Now, Therefore, Grantor and the Bank agree as follows:

1. The time for payment of the indebtedness evidenced by the Original Note is hereby extended and modified in accordance with the terms of the Note.

2. The New Loan and the Note are entitled to the security and benefits of the Deed of Trust, as hereby amended. For the same consideration above recited, Grantor does hereby grant, bargain, mortgage, pledge, sell, convey and transfer and assign to Trustee, and the successors and substitutes of Trustee, subject to

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109-38-0290

and in accordance with the provisions of the Deed of Trust, all and singular the Mortgaged Property as defined in the Deed of Trust, as security for and to secure the prompt and complete payment and reimbursement when due of all sums and amounts owing and to be owing on the Note, and any and all renewals, extensions and/or rearrangements thereof, and all other amounts and indebtedness owing and to be owing from Grantor to the Bank under the provisions of the Deed of Trust, as hereby amended. With respect to the machinery, equipment, furnishings and other personal property described therein, the Deed of Trust, as hereby modified, constitutes a Security Agreement under the Texas Uniform Commercial Code. All references in the Deed of Trust to the "Note" and the "Notsholder" shall be deemed to mean and include the Note and the holder thereof.

3. Except as hereby modified, the Deed of Trust is in all respects ratified and confirmed and remains in full force and effect.

IN WITNESS WHEREOF, Grantor and the Bank have caused this instrument to be executed as of the day and year first above written.

MERICHEM COMPANY

By Colin J. Fells, Pres

Attest:

Charles H. Paine
Secretary-Treasurer

BANKERS TRUST COMPANY

By Wm. Lee
Vice President

Attest:

Edward M. DeLoach
Clerk & Treasurer

NEW YORK
1903

MORTGAGE RECORDS
6930
MAR 4 1904

109-38-0291

STATE OF NEW YORK

COUNTY OF NEW YORK

BE IT REMEMBERED that I, CASIMIR C. PATRICK,
 notary public duly qualified, commissioned, sworn and act-
 ing in and for the County and State aforesaid, HEREBY CER-
 TIFY that on this 17th day of SEPTEMBER, 1969:

BEFORE ME personally appeared FLOYD E. McKEE,
 known to me to be the person whose name is subscribed to
 the foregoing instrument and known to me to be the A VICE President
 of BANKERS TRUST COMPANY, a New York banking corporation,
 and acknowledged to me that he executed said instrument as
 the act and deed of said corporation for the purposes and
 consideration therein expressed, and in the capacity there-
 in stated.

IN WITNESS WHEREOF, I have hereunto set my hand and
 official notarial seal this 17th day of SEPTEMBER, 1969.

C. C. Patrick
 Notary Public in and for
 New York County, New York

My Commission Expires:

CASIMIR C. PATRICK, 2nd
 NOTARY PUBLIC, STATE OF NEW YORK
 No. 30-3032290
 Qualified in Nassau County
 Certificate Filed in New York County
 Commission Expires March 30, 1971



1969 OCT 2 AM 9 27

FILED
 COUNTY CLERK
 NEW YORK COUNTY

109-38-0292

MORTGAGE RECORDS

STATE OF TEXAS)

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COUNTY OF HARRIS)

BE IT REMEMBERED that I, Jonathan D. Willard,
notary public duly qualified, commissioned, and sworn to, am
acting in and for the County and State aforesaid, and I CERT-
IFY that on this 10 day of September, 1969.

BEFORE ME personally appeared WILLIAM T. HARRIS, known to
me to be the person whose name is subscribed to the aforesaid
instrument and known to me to be the President of
MERRICHEN COMPANY, a Delaware corporation, and acknowledged
to me that he executed said instrument as the act and deed
of said corporation for the purposes and consideration there-
in expressed, and in the capacity therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and
official notarial seal this 10 day of September, 1969.

Jonathan D. Willard
Notary Public in and for
Harris County, Texas

My Commission Expires: June 1, 1970

109-33-0293

EXHIBIT A

The following described lands in Harris County, Texas

1. 17.339 acres of land, more or less, in the Richard and Robert Vince Survey, Harris County, Texas, more particularly described as follows:

BEGINNING at a concrete monument set for the North corner of the Third Tract described in that deed dated August 2, 1945, from H. L. Nicholson, Administrator, to J. F. Hedding, Trustee, filed for record in the office of the County Clerk of Harris County, Texas, under File No. 262,739 on August 4, 1945;

THENCE South 50° 21 feet East, along the South right-of-way line of the Harris County Houston Ship Channel Navigation District tract, 738.21 feet to a concrete monument for the East corner of this tract;

THENCE South 57° West 2,067 feet to a concrete monument;

THENCE, along the same course, 7 feet to a point on the left bank of Green's Bayou;

THENCE, up said left bank of Green's Bayou with its meanders, approximately 200 feet to a concrete monument set for the West corner of the First Tract described in that deed from H. L. Nicholson, Administrator, to J. F. Hedding, Trustee, filed for record in the office of the County Clerk of Harris County, Texas, on August 4, 1945;

THENCE North 57° East 1,232.5 feet to a concrete monument;

THENCE North 33° West 504.6 feet to a concrete monument set for the West corner of said Third Tract referred to above;

THENCE North 57° East 644.0 feet to the Place of Beginning;

and being the same land: (i) described as a tract of 3.1 acres, more or less, in that certain deed dated May 17, 1948, from Diamond Alkali Company to The Merichem Company, recorded in Volume 1808, page 694, of the Deed Records of Harris County, Texas; and (ii) that 14.709 acres of land, more or less, described in that certain deed dated August 17, 1948, from Diamond Alkali Company to The Merichem Company, recorded in Volume 1844, page 218, of said records.

Said tract of land is subject to the following:

(1) That certain easement for roadway purposes 40 ft. in width by 500 ft. in length along the

NOTICE RECORDS
6330 ME 443

109-38-0294

CONTACT RECORD
IN 0930 NO 444

109-38-0295

...boundary line of said tract of land, such
...fully described in the per-
...of the Deed Records of
...County, Texas;

...Company, Inc., in 1921, to the
...Company and the rights of A. B.
...in the United States of America for the
...of constructing a dam, channel and
...the right to deposit all spoil and
...other matter excavated from said channel;

...in favor of Austin Light and
...Company dated November 20, 1911, recorded
...page 511, of the Deed Records of
...County, Texas; and

...All other easements and rights of way of
...or occupied on the ground.

...1/2 acres of land in the R. and R. Vines Lease,
...County, Texas, situated on Green's Bayou, which was
...and awarded to Mrs. Elsie Louise Joiner in the certain
...of Partition dated June 5, 1912, recorded in Volume 272,
...page 521, of the Deed Records of Harris County, Texas, and
...being more particularly described as follows, to-wit:

BEGINNING at the Southeast corner of said tract;
THENCE North 57° East 1247 feet to the Northeast
corner of said tract;
THENCE West 491 feet to a stake for corner;
THENCE, along a line parallel to the East
line of this tract, a distance of 1297 feet to
Green's Bayou;
THENCE up Green's Bayou to the Place of
Beginning;

save and except an undivided 1/2 interest in all of the oil,
gas, sulphur, uranium and other minerals, or the proceeds
therefrom, which may be found or produced from under the
above described land, but vesting in the Grantee herein the
exclusive use of the surface of the above described land as
against the owners of any of said oil, gas, sulphur, uranium
and other minerals which may be found or produced from under
the above described land; and being the same land described
in that certain deed dated January 2, 1956, from Pearl Kahn
Levy, et al, to Jefferson Lake Sulphur Company, recorded in
Volume 3062, page 248, Deed Records of Harris County, Texas.

119-96-1168

The hereinbelow described parcels out of Richard and Robert Vince Survey, Abstract 76, in Harris County, Texas:

1. 17.809 acres of land, more or less in the Richard and Robert Vince Survey, Harris County, Texas more particularly described as following:

BEGINNING a a concrete monument set for the North corner of the Third Tract described in that deed dated August 2, 1945, from H. L. Nicholson, Administrator, to J. F. Hedding, Trustee, filed for record in the office of the County Clerk of Harris County, Texas, under File No. 262,739 on August 4, 1945;

THENCE South 50° 21 feet East, along the South right-of-way line of the Harris County Houston Ship Channel Navigation District tract, 738.21 feet to a concrete monument for the East corner of this Tract;

THENCE South 57° West, 2,067 feet to a concrete monument;

THENCE along the same course, 7 feet to a point on the left bank of Green's Bayou;

THENCE, up said left bank of Green's Bayou with its meanders, approximately 200 feet to a concrete monument set for the West corner of the First Tract described in that deed from H. L. Nicholson, Administrator, to J. F. Hedding, Trustee, filed for record in the office of the County Clerk of Harris County, Texas on August 4, 1945;

THENCE North 57° East 1,232.5 feet to a concrete monument;

THENCE North 33° West 504.6 feet to a concrete monument set for the West corner of said Third Tract referred to above;

THENCE North 57° East 644.0 feet to the Place of Beginning;

and being the same land: (i) described as a tract of 3.1 acres, more or less, in that certain deed dated May 17, 1948, from Diamond Alkali Company to the Merichem Company, recorded in Volume 1808, page 694, of the Deed Records of Harris County, Texas, and (ii) that 14.709 acres of land, more or less, described in that certain deed dated August 17, 1948, from Diamond Alkali Company to The Merichem Company, recorded in Volume 1844, page 218, of said records.

Said tract of land is subject to the following:

(1) That certain easement for roadway purposes 40 feet in width by 500 ft. in length along the Southeasterly line of said tract of land, such easement being more fully described in that certain Agreement dated July 27, 1960, recorded in Volume 4153, page 365 of the Deed Records of Harris County, Texas;

(2) Easements granted by John T. Tod, Houston Bank & Trust Company and the Estate of R. E. Brooks to the United States of America for the purpose of constructing a ship channel and granting the right to deposit all spoil or other matter excavated from said channel;

(3) Easement in favor of Houston Lighting & Power Company dated November 26, 1961, recorded in Volume 4614, page 511 of the Deed Records of Harris County, Texas; and

EXHIBIT "A"

119-96-1169

(4) All other easements and rights of way of record or occupied on the ground.

2. 14-1/3 acres of land in the R. and R. Vince League, Harris County, Texas situated on Green's Bayou, being the same land awarded to Mrs. Elsie Louise Joiner in that certain Deed of Partition dated June 8, 1912, recorded in Volume 291, page 521, of the Deed Records of Harris County, Texas, and being more particularly described as follows, to-wit:

BEGINNING at the Southeast corner of said tract;

THENCE North 57° East 1247 Feet to the Northeast corner of said tract;

THENCE West 491 feet to a stake for corner;

THENCE, along a line parallel to the East line of this tract, a distance of 1297 feet to Green's Bayou;

THENCE up Green's Bayou to the Place of Beginning.

3. .0453 acres more or less as more particularly described in a deed dated on or about June 2, 1966, filed under Harris County Clerk's file number 313766 in Volume 6378 at page 393 of the Deed Records of Harris County, Texas which deed is incorporated by reference.

4. .243 acres, more or less, as more particularly described in a deed from Stauffers Chemical Company to Merichem Company dated on or about January 29, 1974, and filed under Harris County Clerk's file number E72362 in the Deed Records of Harris County, Texas, which deed is incorporated by reference.

EXHIBIT "A"

119-96-1170

FILED

FEB 8 3 04 PM 1979

Quita Lashburn
COUNTY CLERK
HARRIS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in
File Number Sequence on the date and at the time stamped
hereon by me; and was duly RECORDED, in the Official
Public Records of Real Property of Harris County, Texas on

FEB - 8 1979



Quita Lashburn
COUNTY CLERK,
HARRIS COUNTY, TEXAS